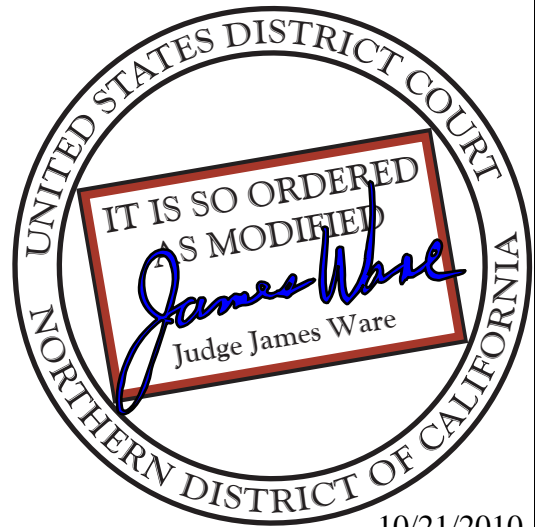


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10/21/2010

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 10- 00320 - JW
)	
Plaintiff,)	
)	STIPULATION AND [PROPOSED]
v.)	ORDER ADVANCING HEARING
)	AND EXCLUDING TIME
MAURICE DESHAWN HODGE,)	
)	
Defendants.)	SAN JOSE VENUE
)	

On October 4, 2010, the parties in this case appeared before the Court for what was to be a pre-trial conference. At that time defense counsel requested that the case be continued to November 15, 2010, for status. In addition, the parties requested an exclusion of time under the Speedy Trial Act. The parties hereby request and stipulate that the case be advanced to November 1, **2010** for purposes of a disposition by plea, and agree that the previously ordered exclusion of time remain in effect for the reasons stated on the record.

//
 //
 //

1 SO STIPULATED:

MELINDA HAAG
United States Attorney

2
3 DATED:

_____/s/_____
THOMAS M. O'CONNELL
Assistant United States Attorney


4
5
6 DATED:

_____/s/_____
HUGH A. LEVINE
Counsel for HODGE

7
8
9
10 Accordingly, for good cause shown, the Court HEREBY ORDERS that the case be advanced
11 to **November 1, 2010** for purpose of disposition by plea, and that the time previously excluded
12 under the Speedy Trial Act remain excluded. The Court finds, based on the previously
13 mentioned reasons, that the ends of justice served by granting the requested continuance
14 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant
15 the requested continuance would deny defense counsel reasonable time necessary for effective
16 preparation and representation, taking into account the exercise of due diligence, and would
17 result in a miscarriage of justice. The Court therefore concludes that this exclusion of time
18 should be made under 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

19 SO ORDERED.

20
21 DATED: October 21, 2010



JAMES WARE
United States District Judge